

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/741,821
Applicant : Frederic ROELEN
Filed : December 19, 2003
TC/A.U. : 2614
Examiner : Michael P. CHOI
Docket No. : 02-MGE-349
Customer No. : 23334
Confirmation No.: 2611
For : *PROCESS AND DEVICE FOR DECODING MPEG PICTURES
AND FOR DISPLAYING THEM IN REWIND MODE, VIDEO
DRIVER CIRCUIT AND DECODER BOX INCORPORATING
SUCH A DEVICE*

**PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Office of Petitions, Tel. Number (703) 305-9282

08/01/2008 LDIEP1 00000001 581556 10741821
Sale Ref: 00000003 DA# 581556 10741821
01 FC:1453 1540.00 DA
02 FC:1581 1440.00 DA
03 FC:1584 380.00 DA

Sir:

Applicant hereby petitions for revival of the above-identified patent application.

Table Of Contents For Each Section Of this Petition

Petition (3 pages) - Begins on page 2.

Exhibit A: (1 Page) - Notice of Abandonment Dated January 17, 2008 - Attached

Exhibit B (2 Pages) - Request with Post Card for Status Dated January 26, 2006 - Attached

Exhibit C (1 Page) - USPTO First Action Prediction via PAIRS dated February 9, 2006 - Attached

Exhibit D (1 Page) - Print out from Docketing System - Attached.

CERTIFICATE OF TRANSMISSION

In accordance with 37 CFR 1.8, I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted or submitted under electronics filing system to the U.S. Patent and Trademark Office on the date: January 22, 2008

By: Jon Gibbons

(Applicant, Assignee, or Representative)

Signature: /Jon Gibbons/

In accordance with 37 CFR §1.137 and §1.181, the Applicants respectfully petition the Commissioner for withdrawal of the holding of Abandonment. The Notice of Abandonment, dated January 17, 2008 (see Exhibit A), states that the reason for Abandonment is *"Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance"*.

On January 26, 2006, as part of our normal business practice to ensure that an application is not lost within the USPTO, we sent a Request for Status around the three-year anniversary of the filing date. Since this case was originally filed on December 19, 2003, we sent a Request for Status dated January 26, 2006 (see Exhibit B). As part of our normal business practice, since we did not receive a stamped return post card, on February 9, 2006 using the Private PAIR system at the USPTO, we requested a First Office Action Prediction. Through Private PAIR on February 9, 2006, the Customer Service Office in Technology Center 2600 response with an estimate, the we *"will receive an Office Action in approximately 30 months"* from the date of the letter (See Exhibit C). The estimate of 30 months from February 9, 2006 is August 9, 2008. Part of our normal business procedure is to docket another Request for Status or Status Check six-months after the earliest estimate from the USPTO, in this case February 9, 2009 (See Exhibit D illustrating the dates in our docketing system).

Subsequent to the February 9, 2006 communication from the USPTO, the Applicant's representatives never received any follow-up (written or telephone) communications from the USPTO other than this January, 17, 2008 Notice of Abandonment (See Exhibit A). From the date of filing until the receipt of the Notice of Abandonment, the Applicant's representative maintained the same mailing address and customer number.

Applicants believe that this petition is a non-fee petition. However, if it should be determined that a fee is required, please charge any fee that may be required to Deposit Account No. **50-1556**.

Applicant certifies that the entire delay in filing the required reply from the due date for the reply until the filing of this grantable petition under 37 C.F.R. § 1.137(b) was

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Reply to Office Action of January 17, 2008

unintentional. Because the application was filed after June 8, 1995, a terminal disclaimer is not required for revival.

In the alternative, in the highly unlikely event that this petition is not granted, the Applicants respectfully request that this petition be considered a petition to revive an unintentionally abandoned patent application, and accordingly please apply the payment of the required issue fee and publication fee from the Deposit Account **50-1556** under 35 USC §41(a)(7) and MPEP 711.03(c) as an unintentionally abandoned patent application due to Applicants detrimental reliance on the USPTO's monthly deposit account statement indicating there were sufficient funds to pay the required issue fee and publication fee.

Respectfully submitted,

Date: January 22, 2008

By: /Jon A. Gibbons/
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